

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2018-139-T

IN RE:	Petition of the South Carolina Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Household Goods Carriers for Failure to Pay Annual Assessment Fee))))))	MOTION FOR DEFAULT JUDGMENT AND ORDER REVOKING CERTIFICATES FOR FAILURE TO ANSWER
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The South Carolina Office of Regulatory Staff ("ORS") pursuant to 10 S.C. Code Ann. Regs. § 103-829, 830 and Rule 55 of the South Carolina Rules of Civil Procedure files this Motion for Default Judgment and for an Order revoking the Certificates of Public Convenience and Necessity of DeHaven's Transfer and Storage of Charlotte, Inc., LLC, Midlands Specialty Services, Inc., and The Blu Line Group, Inc. ("Respondents") based on the Respondents failure to Answer the ORS Petition in this docket. In support of its Motion, ORS asserts that:

1. ORS is a state agency with its offices located at 1401 Main Street, Suite 900, Columbia, South Carolina 29201.
2. Respondents are Class E Household Goods Carriers, each having applied for and received an Order from the Public Service Commission of South Carolina ("Commission") to operate under the provisions of S.C. Code Ann. §58-23-260 (2015) and are therefore subject to the jurisdiction of the Commission pursuant to S.C. Code Ann. §58-23-1010 (2015).
3. On or about April 20, 2018 ORS filed a Petition with the Commission requesting that the Commission revoke the Certificates of Public Convenience and Necessity ("Certificates") of seven (7) Household Goods Carriers that had failed to pay their Annual Assessment Fees assessed under the provisions of S.C. Code Ann. §58-3-100 (2015) in one or more of the past five years.

4. The Respondents herein were three (3) of the seven (7) Household Goods Carriers named as Initial Respondents in the ORS Petition, as shown in Exhibit A to the Petition and Exhibit A of the Affidavit of Thomas H. Allen filed by ORS in this docket.

5. On April 27, 2018, the Commission issued a Thirty Day Notice ("Notice") instructing the Respondents to file an Answer with the Commission responding to the allegations in the ORS Petition and to serve a copy of such Answer on ORS. The Notice advised Respondents that if an Answer was not filed within thirty days after service, exclusive of the day of service, ORS would be permitted to apply to the Commission for the relief demanded in the Petition.

6. The thirty-day deadline for filing an Answer set in the Notice dated April 27, 2018 has since passed and none of the three (3) named Respondents have filed any form of responsive pleading with the Commission. Pursuant to Rule 55(a) of the S.C. Rules of Civil Procedure, "when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise, the clerk shall enter his default upon the calendar." In the instant matter, the Commission properly served the Respondents at the addresses of their principal places of business which Respondents have provided to ORS and the Commission.

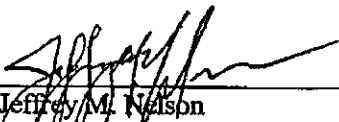
7. As further evidence of effective service, subsequent to service of the Notice two (2) of the Initial Respondents in this docket contacted ORS and/or the South Carolina Department of Revenue ("DOR") and either made full payment of past due assessment fees or negotiated and established a schedule for the payment of their past due annual assessment fees with DOR. Additionally, two (2) of the Initial respondents' certificates have been canceled by Commission Order 2018-344. Respondents to this Motion have failed to file a responsive pleading, or make payment, or establish a payment schedule with DOR.

8. 10 S.C. Code Ann. Regs.103-830(A)(2) (2012) provides that if a defendant fails to timely file an answer, unless an extension is granted, the defendant is deemed in default and all relevant facts are deemed admitted. No extension of time for filing an Answer has been requested by any of the

Respondents in this matter. ORS therefore requests that the Commission enter an Order for default judgment against the named Respondents to this Motion.

WHEREFORE, the ORS respectfully requests that the Honorable Commission:

1. Enter an Order finding that the Respondents named herein are in default in this matter and granting the relief demanded in the ORS Petition;
2. Provide in such Order that the Certificates of the Respondents DeHaven's Transfer and Storage of Charlotte, Inc., LLC, Midlands Specialty Services, Inc., and The Blu Line Group, Inc. are revoked as demanded in the ORS Petition; and
3. For other appropriate action which the Commission may deem necessary.



Jeffrey M. Nelson
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201

June 5, 2018

Columbia, South Carolina

Exhibit A

Docket No. 2018- 139-T

Carriers Out of Compliance for Failure to Pay Annual Assessment Fee

June 5, 2018

#	Company Name	DBA	Address	City	State	Zip	Docket #	Order #	Secretary of State Standing	Tax Amt '13	Tax Amt '14	Tax Amt '15	Tax Amt '16	Tax Amt '17	Total Tax Amt
1	Dehaven's Transfer & Storage of Charlotte, Inc.		PO Box 3004	Durham	NC	27705	2009-196-T	2010-432	Good					170.72	170.72
2	Midlands Specialty Services, Inc.		7575 Irmo Dr	Columbia	SC	29212	2001-501-T	2002-259	Good					396.43	396.43
3	The Blu Line Group, Inc.	Movers and Groovers	1064 Gardner Rd Ste 101	Charleston	SC	29407	2007-226-T	2007-728	Good	6102.62	5075.76	4834.33	5257.54	4162.6	25432.85